

# Gregory Palega, M.D., J.D., FCLM

TopMDJD@gmail.com

## EDUCATION:

**Duke University Medical Center, Durham, NC**  
Residency in Internal Medicine, 1994-1997  
Assistant **Chief Resident**, 1997

**Cornell University Medical College, New York, NY**  
Doctor of Medicine, May, 1994  
Junior and Senior Member of the Alpha Omega Alpha Honor Society  
**Co-Valedictorian**

**Columbia College of Columbia University, New York, NY**  
B.A. Biology, 1990  
**Magna cum Laude**  
**Phi Beta Kappa**

**Concord University School of Law, Los Angeles, CA**  
Juris Doctorate, 2006  
Graduated with **Highest Honors**  
Passed the California Bar Examination in 2006

## LICENSURE:

Licensed to practice law in California since December, 2006  
Licensed to practice medicine in North Carolina since 1995  
Board Certified in Internal Medicine by ABIM since 1997  
Recertified Specialist in Internal Medicine 2007 and 2017  
New Hanover Regional Medical Center- Full admitting privileges from 1997-2016  
Sampson Regional Medical Center- Full Admitting privileges 2012-2018  
Dosher Memorial Hospital- Full Admitting privileges since 2018

## WORK EXPERIENCE:

November 2009-  
Oct 2019

EdiPhy Advisors (formerly MedManagement) LLC – **Medical Director of  
Regulatory Affairs** –

**Expert in health law compliance regarding medical necessity requirements:**  
Developed MedManagement's government compliance and litigation division.  
Advised healthcare providers on Medicare and Medicaid medical necessity billing requirements. This included documentation improvement initiatives and provider education. I have helped optimize compliant usage of EHR systems while minimizing exposure to allegations of inappropriate EHR use (ie. Cloning, among others). In addition, I have served as the lead medical reviewer for US Department of Health and Human Services (HHS) Independent Review Organization (IRO) medical necessity audits pursuant to federal Corporate Integrity Agreements (CIAs). Further, I have evaluated healthcare entities to advise clients on the entities' risk/exposure to future allegations of noncompliance in a due diligence setting.

**Expert Witness:** Served as an expert witness in several federal Medicare fraud investigations, as well as during federal and state litigation. In addition, I have reviewed and appealed thousands of Medicare and Medicaid denials of payment on the basis of documentation and medical necessity noncompliance. I review medical records for compliance with a variety of payor documentation and billing requirements.

**Areas of medical necessity experience** include acute inpatient admission, IRF, home health, hospice, SNF, ICDs, cardiovascular procedures, emergency care definition, hospital length of stay necessity, and other Medicare payment conditions.

- April 2018-Present Hospitalist- Doshier Memorial Hospital.
- September 2012-2018 Hospitalist- Sampson Regional Medical Center.
- December 2011-2016 Hospitalist- New Hanover Regional Medical Center: Cover Hospital Patients, admissions, and rounding on select weekends for Coastal Internal Medicine.
- December 2011-May 2012 SEAHEC – Teaching Attending - Covered weekend admissions and rounding with the internal medicine residents.
- 2010 Wallace Urgent Care- Medical Director- Provided direct patient care 50 hours per month plus supervised five physician assistants. Responsible for Quality Review and Utilization review of all physician assistants.
- July 1997-October 2009 New Hanover Medical Group, PA - Medical Director 2006- 2007. **General Counsel** 2007-2009. Internist/Primary Care Physician in this 20 doctor group with inpatient and outpatient responsibilities since 1997.
- Healthy Heart Institute- Director of this vascular disease prevention clinic, organized within New Hanover Medical Group, which focused on hypertension and dyslipidemia management.
- 2007- 2009 General Counsel of New Hanover Medical Group. – Served as the in-house attorney for New Hanover Medical Group P.A., a medical corporation with three locations, over 20 providers, and 200+ employees. Oversaw **corporate compliance** with all **federal and state laws** impacting healthcare providers as well as review, negotiate, and structure our contracts.
- 2001- 2002 New Hanover Regional Medical Center- **Vice Chairman** of the Department of Medicine of this 628-bed teaching hospital and regional referral center.
- 1999-2003 New Hanover Medical Research Associates- Assistant or **principle investigator** for multiple pharmaceutical research studies.
- SPRING, 1994 Medical News Network, Reporter Intern - New York, NY  
Produced and wrote stories for this physicians-only network.
- WINTER, 1991-92 The New York Hospital School of Nursing Education, **Teacher** – New York, NY  
Constructed a syllabus and taught a sixteen-week course in human physiology.
- SUMMER, 1991 The Princeton Review, **Teacher** - New York, NY

Taught an MCAT review course and tutored students individually in various sciences and reading comprehension.

SPRING, 1990 Columbia University Department of Biology, Teaching Assistant – New York, NY  
Taught review sessions and graded exams for the Developmental Biology course.

SUMMER, 1989 The Princeton Review, Writer – New York, NY  
Wrote Achievement Test review books in physics and biology.

## HONORS AND AWARDS:

- American Law Institute/American Bar Association Scholarship and Leadership Award (2006)
- Outstanding Achievement award for best academic performance in every first year Law School subject (2003)
- “Best Brief” and “Best Oral Advocate” (defendant category) award at Concord Law (2006)
- ALPHA OMEGA ALPHA, Medical Honor Society, both junior and senior years (1992-1993 and 1993-1994)
- PHI BETA KAPPA, National Honor Society (1990)
- John Metcalf Polk Award - given to the **top three** graduates each year at Cornell University Medical College (1994)
- Fellowship at the American College of Legal Medicine (2008)

## Expert Witness Testimony/deposition:

1. Testified at deposition 2014: *UNITED STATES OF AMERICA, ex. rel. and ELIN BAKLID-KUNZ, Relator, Plaintiffs, v. HALIFAX HOSPITAL MEDICAL CENTER, d/b/a Halifax Health, a/k/a Halifax Community Health System, a/k/a Halifax Medical Center and HALIFAX STAFFING, INC., Defendants.* Case No. 6:09-cv-1002-Orl-31TBS.

United States District Court, M.D. Florida, Orlando Division.

-My testimony involved the portion of the case that addressed allegations of FCA violations in billing Medicare for medically unnecessary inpatient admission

2. Testified at deposition and Jury Trial 2017: *UNITED STATES OF AMERICA, ex. Rel. Angela Ruckh, Realtor, plaintiffs v. CMC II, LLC; SEA CREST HEALTH CARE MANAGEMENT, LLC, d/b/a LAVIE MANAGEMENT SERVICES OF FLORIDA; SALUS REHABILITATION, LLC, d/b/a LAVIE REHAB; 207 MARSHALL DRIVE OPERATIONS, LLC, d/b/a MARSHALL HEALTH AND REHABILITATION CENTER; 803 OAK STREET OPERATIONS, LLC, d/b/a GOVERNOR'S CREEK HEALTH AND REHABILITATION CENTER, defendants.* CIVIL ACTION NO.8:11 CV 1303 SDM-TBM United States District Court, MD Florida, Tampa Division

-My testimony involved the portion of the case that addressed FCA violations regarding the medical necessity of rehabilitation services, the intensity of said services, and appropriateness of RUG level determinations.

3. Testified at deposition 2017: *United States of America, State of IL, ex rel Dolan v. Long Grove Manor Inc., et al. Civil Action No. 10-CV-0368.* United States District Court, Northern District of Illinois.

- My testimony involved the portion of the case that addressed FCA violations regarding the medical necessity of rehabilitation services, the intensity of said services, and appropriateness of RUG level determinations.

4..Testified at trial/hearing 2014: *Crossroads Hospice of Kansas City, LLC v. Missouri Department of Social Services, Missouri Medicaid Audit and Compliance Unit,* Before the Administrative Hearing Commission, State of Missouri.

- My testimony addressed allegations of false billing of Missouri Medicaid related to the necessity of and coverage of hospice services.

5. Testified at Arbitration Hearing 2016: *Prime Healthcare La Palma LLC v. Kaiser Foundation Health Plan Inc., et. Al.,* JAMS Arbitration No. 1130006307.

My testimony addressed the medical necessity of certain hospital services and typical documentation practices in an out-of-network hospital billing dispute.

6. Testified at deposition and arbitration hearing 2018: *Northwest Medical Center, Inc. et. al, (HCA) v. Coventry Health Care of Florida, Inc., and Aetna Health Inc.*

-My testimony addressed whether emergency room services and inpatient hospital services qualified as “emergency services and care,” as defined by Florida law. This was an out-of-network hospital billing dispute.

7. Testified at Arbitration Hearing 2019: MIAMI BEACH HEALTHCARE GROUP, LTD.; COLUMBIA/JFK MEDICAL CENTER LIMITED PARTNERSHIP; KENDALL HEALTHCARE GROUP, LTD.; LAWNWOOD MEDICAL CENTER, INC.; HCA HEALTH SERVICES OF FLORIDA, INC., D/B/A ST. LUCIE MEDICAL CENTER; UNIVERSITY HOSPITAL, LTD.; COLUMBIA HOSPITAL (PALM BEACHES) LIMITED PARTNERSHIP D/B/A WEST PALM HOSPITAL; OSCEOLA REGIONAL MEDICAL CENTER, et al. v. CIGNA HEALTHCARE OF FLORIDA, INC  
AAA CASE NO. 01-16-0005-4885

-My testimony addressed the medical necessity of inpatient acute hospital care, the necessity of the length of long inpatient stays, the necessity of ICU care, and the necessity of Inpatient status versus outpatient status with observation. This was a contract dispute.

**US Department of Health and Human Services CIA Independent Review Organization (IRO Experience). I functioned as the lead physician medical necessity, coding, and documentation reviewer:**

1. Community Health Systems
2. Quorum Health Corporation
3. Dignity Health
4. BayCare
5. Banner Health